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Counsel for the Debtors and Debtors in Possession

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:)	Chapter 11
)	Case No. 08-10375 (JMP)
DJK Residential LLC, et al.,)	Jointly Administered
)	
Debtors.)	
)	

**DEBTORS' DESIGNATION OF ADDITIONAL ITEMS TO BE INCLUDED IN
RECORD ON APPEAL RELATING TO APPEAL OF TRIPLE NET INVESTMENTS IX,
LP OF STIPULATION AND AGREED ORDER BETWEEN THE DEBTORS, THE
OFFICIAL COMMITTEE OF UNSECURED CREDITORS, AND THE OFFICIAL
COMMITTEE OF UNSECURED CREDITORS OF 360NETWORKS (USA) INC. IN
CONNECTION WITH THE ORDER AUTHORIZING PAYMENT OF UNIMPAIRED
CLAIMS IN THE ORDINARY COURSE OF BUSINESS**

The above-captioned debtors (collectively, the "Debtors"), pursuant to Bankruptcy Rule 8006, hereby file this designation (the "Counterdesignation") of additional items to be included in the record on appeal relating to the Designation of Record and Statement of Issues for the Appeal of Stipulation and Agreed Order Between the Debtors, the Official Committee of Unsecured Creditors, and the Official Committee of Unsecured of 360networks (USA) Inc. in Connection with the Order Authorizing Payment of Unimpaired Claims in the Ordinary Course of Business [Docket No. 313] (the "Designation").¹

¹ Any terms not defined herein have the meaning ascribed to them in the Designation.

A. Debtors Designation of Additional Items

1. Pursuant to Bankruptcy Rule 8006, the Debtors designate the following additional items to be included in the record on appeal herein. These additional items were not included in the Designation.

Docket No.	Item
N/A	Notice of Agenda of Matters Scheduled for Hearing on February 5, 2008 at 10:00 A.M. (ET) (attached hereto as <u>Exhibit A</u>).
19	Motion of the Debtors for an Order Authorizing Payment of Prepetition Unimpaired Claims in the Ordinary Course of Business
34	Declaration of Jeffrey Stegenga, Managing Director of Alvarez and Marsal, in Support of DIP Financing Motion
82	Affidavit of Service of Alison M. Tearnen re Final and Interim Orders on Various First Day Motions and Related Documents
99	(Proposed) Order Granting Motion to Reconsider or Vacate Order Authorizing Payment of Certain Prepetition Unsecured Claims
100	Affidavit of Service filed by Norman N. Kinel on behalf of The Official Committee of Unsecured Creditors of 360networks (USA) Inc., et al., and 360networks (USA) Inc., by and through The Official Committee of Unsecured Creditors of 360networks (USA) Inc.
130	Debtors' Objection to the Motion to Reconsider or Vacate Order Authorizing Payment of Certain Prepetition Unsecured Claims
132	Notice of Agenda of Matters Scheduled for Hearing on February 25, 2008 at 10:00 A.M. (ET)
146	Affidavit of Service of Alison M. Tearnen re (1) Debtors' Objection to the Motion to Reconsider or Vacate Order Authorizing Payment of Certain Prepetition Unsecured Claims; (2) Debtors' Emergency Motion to Amend the Interim Order (A) Authorizing Debtors to Obtain Postpetition Secured Financing and Utilize Cash Collateral; (B) Granting Adequate Protection to Prepetition Secured Lenders; and (C) Scheduling Final Hearing; (3) Notice of Agenda of Matters Scheduled for Hearing on February 25, 2008 at 10:00 A.M. (ET)

B. Preservation of the Debtors' Rights to Respond on the Merits

2. By designating additional items to be included in the record on appeal herein, the Debtors do not waive, and expressly preserve, all their rights to fully respond to the underlying appeal, including their right to move the Court to dismiss the appeal on the merits.

Respectfully submitted,

Dated: March 24, 2008
New York, New York

/s/ Marc Kieselstein, P.C.

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EXHIBIT A

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and

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Proposed Counsel for the Debtors and Debtors in
Possession

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:)	Chapter 11
)	Case No. 08-10375 (JMP)
DJK Residential LLC, et al., ¹)	Jointly Administered
)	
Debtors.)	
)	

AGENDA FOR FEBRUARY 5, 2008 HEARING

Time and Date of Hearing: **February 5, 2008 at 4:00 p.m.** (Prevailing Eastern Time)

Location of Hearing: Judge Peck, Courtroom 601, United States Bankruptcy Court
for the Southern District of New York, Alexander Hamilton

¹ The Debtors in these cases include: DJK Residential LLC; A Five Star Forwarding, Inc.; A Relocation Solutions Management Company; A Three Rivers Forwarding, Inc.; A.V.L. Transportation, Inc.; Alaska USA Van Lines, Inc.; Allied Alliance Forwarding, Inc.; Allied Continental Forwarding, Inc.; Allied Domestic Forwarding, Inc.; Allied Freight Forwarding, Inc.; Allied Intermodal Forwarding, Inc.; Allied International, N.A. Inc.; Allied Interstate Transportation, Inc.; Allied Transcontinental Forwarding, Inc.; Allied Transportation Forwarding, Inc.; Allied Van Lines Terminal Company; Allied Van Lines, Inc.; Allied Van Lines, Inc. of Indiana; Americas Quality Van Lines, Inc.; Anaheim Moving Systems, Inc.; Cartwright Moving & Storage Co., Inc.; Cartwright Van Lines, Inc.; City Storage & Transfer, Inc.; CMS Holding, LLC; Executive Relocation Corporation; Federal Traffic Service, Inc.; Fleet Insurance Management, Inc.; FrontRunner Worldwide, Inc.; Global Van Lines, Inc.; Global Worldwide, Inc.; Great Falls North American, Inc.; Lyon Van Lines, Inc.; Lyon Worldwide Shipping, Inc.; Manufacturing Support Services, LLC; Meridian Mobility Resources, Inc.; Move Management Services, Inc.; NA (UK) GP Corporation; NACAL, Inc.; NAVL LLC; NorAm Forwarding, Inc.; North American Forwarding, Inc.; North American International Holding Corporation; North American International N.A., Inc.; North American Logistics, Ltd.; North American Van Lines of Texas, Inc.; North American Van Lines, Inc.; Relocation Risk Solutions, LLC; RS Acquisition Holding, LLC; RS Acquisition, LLC; SIRVA Container Lines, Inc.; SIRVA Freight Forwarding, Inc.; SIRVA Global Relocation, Inc.; SIRVA Imaging Solutions, Inc.; SIRVA MLS, Inc.; SIRVA Relocation LLC; SIRVA Settlement of Alabama, LLC; SIRVA Settlement, Inc.; SIRVA Worldwide, Inc.; SIRVA, Inc.; Trident Transport International, Inc.

Custom House, One Bowling Green, New York, New York
10004-1408

Copies of Motions: A copy of each pleading can be viewed on the Court's website at www.ecf.nysb.uscourts.gov and at the website of the notice and claims agent at www.kccllc.net/sirva

I. Introduction and Request for First Day Hearing

1. **“Pro Hac Vice”** - Motions for Marc Kieselstein, Adam Paul, Mark McKane, Scott Zemnick, and Jeffrey Gettleman

Status: Hearing on this matter will proceed as scheduled.

* **Introductory Presentation.**

2. **“First Day Affidavit”** - Affidavit of Douglas V. Gathany, Senior Vice President, Treasurer & Investor Relations Of DJK Residential LLC, In Support Of First Day Motions And Pursuant To Local Bankruptcy Rule 1007.2

Status: Hearing on this matter will proceed as scheduled.

3. **“Stegenga Affidavit”** - Affidavit In Support Of The Motion Of The Debtors For Entry Of An Order Authorizing The Employment Of Alvarez & Marsal As Restructuring Consultants For The Debtors

Status: Hearing on this matter will proceed as scheduled.

II. First Day Matters

A. Motions Regarding Administration and Procedural Matters

1. **“Joint Administration”** - Motion Of The Debtors For An Order Directing Joint Administration Of Their Related Chapter 11 Cases

Status: Hearing on this matter will proceed as scheduled.

2. **“Consolidated List of Creditors and Mail Notices”** - Motion Of The Debtors For Authority To (A) Prepare A List Of Creditors In Lieu Of Submitting A Formatted Mailing Matrix, (B) File A Consolidated List Of The Debtors' Thirty Largest Unsecured Creditors, And (C) Mail Initial Notice

Status: Hearing on this matter will proceed as scheduled.

3. **“Establish Case Management Procedures”** - Motion Of The Debtors For An Order Establishing Certain Notice, Case Management, And Administrative Procedures

Status: Hearing is adjourned to Confirmation Hearing

4. **“Interim Compensation”** - Motion Of Debtors For An Order Under 11 U.S.C. §§ 105(A) And 331 Establishing Procedures For Interim Compensation And Reimbursement Of Expenses Of Professionals

Status: Hearing is adjourned to Confirmation Hearing

B. Motions Regarding Professional Retention

1. **“K&E Retention Motion”** - Application Of The Debtors For An Order Authorizing The Employment And Retention Of Kirkland & Ellis LLP As Attorneys For The Debtors And Debtors In Possession *Nunc Pro Tunc* To The Petition Date

Status: Hearing is adjourned to Final Hearing on Debtor in Possession Financing

2. **“A&M Retention Motion”** - Application Of The Debtors For Entry Of An Order Pursuant To 11 U.S.C. §§ 363 And 105 (A) Authorizing The Interim Employment And Retention Of Alvarez & Marsal North America, LLC As Restructuring Consultant To The Debtors And (B) Scheduling A Final Hearing

Status: Hearing is adjourned to Final Hearing on Debtor in Possession Financing

3. **“Togut & Segal Retention Motion”** - Application For An Order Under 11 U.S.C. §§ 327(a) and Fed. R. Bankr. P. 2014(a) Authorizing The Employment And Retention Of Togut Segal & Segal LLP As Conflicts Counsel For The Debtors

Status: Hearing is adjourned to Final Hearing on Debtor in Possession Financing

4. **“KCC Retention Application”** - Application For Entry Of An Order Pursuant To 28 U.S.C. § 156(C) And Local Rule 5075-1 Of The Local Bankruptcy Rules For The Southern District Of New York Authorizing And Approving The Retention Of Kurtzman Carson Consultants LLC As Notice, Claims And Balloting Agent To The Debtors

Status: Hearing on this matter will proceed as scheduled.

5. **“Ordinary Course Professionals”** - Motion Of The Debtors For An Order Authorizing The Retention And Compensation Of Certain Professionals Utilized In The Ordinary Course Of Business

Status: Hearing on this matter will proceed as scheduled.

C. Motions Regarding Business Operations

1. **“Continue Cash Management”** - Motion Of The Debtors For An Order (A) Authorizing The Debtors To Continue Using Their Existing Cash Management System, Bank Accounts And Business Forms, (B) Granting Postpetition Intercompany Claims Administrative Expense Priority, And (C) Authorizing Continued Intercompany Transactions

Status: Hearing on this matter will proceed as scheduled.

2. **“Wages and Benefits”** - Motion Of The Debtors For An Order (A) Authorizing, But Not Directing, The Debtors To Pay Certain Prepetition (I) Wages, Salaries, Bonuses, And Other Compensation, (II) Reimbursable Employee Expenses, And (III) Employee Medical And Similar Benefits And (B) Authorizing And Directing Banks And Other Financial Institutions To Honor All Related Checks And Electronic Payment Requests

Status: Hearing on this matter will proceed as scheduled.

3. **“Pay Unimpaired Claims”** - Motion Of The Debtors For An Order Authorizing Payment Of Prepetition Unimpaired Claims In The Ordinary Course Of Business

Status: Hearing on this matter will proceed as scheduled.

4. **“Continue Customer Programs”** - Motion Of The Debtors For Entry Of An Order Authorizing But Not Directing The Debtors To Honor Certain Prepetition Obligations To Customers And To Otherwise Continue Certain Customer Programs And Practices In The Ordinary Course Of Business*

Status: Hearing on this matter will proceed as scheduled.

5. **“Critical Vendors/Transportation Expenses”** - Motion Of The Debtors For An Order Authorizing, But Not Directing, The Debtors To Pay Prepetition Transportation Expenses And Directing Banks And Other Financial Institutions To Honor Related Checks And Electronic Payment Requests*

Status: Hearing on this matter will proceed as scheduled.

6. **“Pay Foreign Vendors”** - Motion Of The Debtors For An Order Authorizing Payment Of Prepetition Claims Of Certain Foreign Vendors*

* Mooted if Motion to pay unimpaired claims in the ordinary course of business is granted.

* Mooted if Motion to pay unimpaired claims in the ordinary course of business is granted.

Status: Hearing on this matter will proceed as scheduled.

7. **“Authorize Tax Payments”** - Motion Of The Debtors For An Order (A) Authorizing, But Not Directing, The Debtors To Remit And Pay Certain Taxes And Fees And (B) Authorizing And Directing Banks And Other Financial Institutions To Honor Related Checks And Electronic Payment Request*

Status: Hearing on this matter will proceed as scheduled.

8. **“Insurance Premium Financing”** - Motion Of The Debtors For An Order Authorizing The Debtors To (A) Continue Insurance Coverage Entered Into Prepetition, (B) Enter Into New Insurance Policies, (C) Maintain Postpetition Financing Of Insurance Premiums, And (D) Enter Into New Postpetition Financing Agreements

Status: Hearing on this matter will proceed as scheduled.

9. **“Establish Adequate Assurance for Utilities”** - Motion Of The Debtors For Entry Of Interim And Final Orders Under 11 U.S.C. §§ 105(A) And 366 (A) Prohibiting Utilities From Discontinuing, Altering, Or Refusing Service, (B) Establishing Procedures For Determining Adequate Assurances Of Payment, And (C) Establishing Procedures For The Utilities To Opt Out Of The Debtors’ Proposed Procedures For Adequate Assurance

Status: Hearing on this matter will proceed as scheduled.

10. **“Net Operating Losses”** - Motion Of The Debtors For The Entry Of An Order Establishing Notification And Hearing Procedures For Transfers Of, Or Claims Of Worthlessness With Respect To, Certain Equity Securities And For Related Relief

Status: Hearing on this matter will proceed as scheduled.

11. **“Reject Leases”** - Motion Of The Debtors For An Order Authorizing The Debtors To Reject Certain Unexpired Leases Of Nonresidential Real Property Effective As Of The Petition Date

Status: Hearing on this matter will proceed as scheduled.

12. **“DIP”** Debtors’ Motion For Interim And Final Orders (A) Authorizing Debtors To Obtain Postpetition Secured Financing And Utilize Cash Collateral; (B) Granting Adequate Protection To Prepetition Secured Lenders; And (C) Scheduling Final Hearing

Status: Hearing on this matter will proceed as scheduled.

13. **“Receivables Purchase Program”** - Motion Of The Debtors For Entry Of An Order (I) Authorizing Certain Debtors To Continue Performing Under The Receivables Purchase Program And (II) Granting Other Relief

Status: Hearing on this matter will proceed as scheduled.

D. Matters Related to the Prepackaged Plan of Reorganization²

1. **“Prepackaged Plan Scheduling Motion”** - Motion Of The Debtors For Entry Of An Order (A) Scheduling A Combined Hearing On The Adequacy Of The Disclosure Statement And Confirmation Of The Prepackaged Plan Of Reorganization, (B) Approving Procedures For Filing Objections Thereto, (C) Approving The Form And Manner Of Notice Of The Combined Hearing, And (D) Granting Related Relief

Status: Hearing on this matter will proceed as scheduled.

² The Prepackaged Plan of Reorganization, the Disclosure Statement and the Voting Affidavit were also filed on the Petition Date.